

# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, George C. McCreary, Jr. legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3C.1. to permit a rear yard setback of 24' instead of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1) Making room for elderly infirmed mother.
- 2) Irregular shape of lot prevents desired and necessary space to conform to required 30' setback.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser George C. McCreary, Jr.  
Address 9649 Dixon Avenue  
Baltimore, Md. 21234  
Tel. 685-7390  
Petitioner's Attorney \_\_\_\_\_  
Protestant's Attorney \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day


of July 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 18th day of September 1980 at 9:30 o'clock A.M.

John L. Wimbley  
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



### PETITION AND SITE PLAN EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 4, 1980

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Chairman  
Nicholas B. Condonari

MEMBERS  
Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. & Mrs. George C. McCreary, Jr.  
9649 Dixon Avenue  
Baltimore, Maryland 21234

RE: Item No. 15  
Petitioner - G. C. McCreary, Jr. et ux  
Variance Petition

Dear Mr. & Mrs. McCreary:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Condonari  
Chairman  
Zoning Plans Advisory Committee

ENCLOSURE

Enclosures



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

September 8, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #15 (1980-1981)  
Property Owner: George C. & Mildred F. McCreary, Jr.  
E/S Dixon Avenue, 1240' N. of Joppa Road  
Acres: 99439.43 sq. ft. District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

This property comprises Lots 156 and 157 of "Carney View", recorded W.P.C. 7, Folio 90.

### Highways:

Dixon Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application. Further, Dixon Avenue is to be extended northerly (Job Order 5-1-4205) in conjunction with the development of the contiguous property of "Robin Ridge", recorded E.H.K., Jr. 45, Folio 66, Project 8276 per Public Works Agreement #97903. The submitted plan does not indicate the proposed highway improvements.

### Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

### Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #15 (1980-1981)  
Property Owner: George C. & Mildred F. McCreary, Jr.  
Page 2  
September 8, 1980

### Water and Sanitary Sewer:

There is a public 8-inch water main (Drawing #66-0257, File 3) and 8-inch public sanitary sewerage (Drawing #69-0300, File 1) in Dixon Avenue. (This property was indicated as House No. 9651 Dixon Avenue on those plans).

Very truly yours,

William E. Hammond  
WILLIAM E. HAMMOND, P.E.  
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: R. Morton  
J. Wimbley  
J. Somers  
R. Govahey

N-NE Key Sheet  
38 NE 17 Pos. Sheet  
NE 10 E Topo  
71 Tax Map



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3211

JOHN D. SEYFFERT  
DIRECTOR

August 25, 1980

Mr. William Hamr  
Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #15, Zoning Advisory Committee Meeting, July 22, 1980, are as follows:

Property Owner: George C. and Mildred F. McCreary Jr.  
Location: E/S Dixon Avenue 1240' N. of Joppa Road  
Acres: 99439.43 sq. ft.  
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planner III  
Current Planning & Development



Baltimore County  
Department of Traffic Engineering  
TOWSON, MARYLAND 21204  
13011 494-3550

STEPHENE COLLINS  
DIRECTOR

August 11, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering by no comments on Items 15, 16, 17, and 18 of the Zoning Advisory Committee Meeting of July 22, 1980.

Very truly yours,

Michael S. Flanigan  
Michael S. Flanigan  
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

July 27, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #15, Zoning Advisory Committee Meeting of July 22, 1980, are as follows:

Property Owner: George C. & Mildred F. McCreary Jr.  
Location: E/S Dixon Ave. 1240' N. of Joppa Rd.  
Existing Zoning: E.H.K. 5.5  
Proposed Zoning: Variance to permit a rear yard setback of 24' in lieu of the required 30'.  
Acres: 99439.43 sq. ft.  
District: 9th

Metropolitan water and sewer exist, therefore, the proposed addition should not present any health hazards.

Very truly yours,

John J. Bueh  
JOHN J. BUEH, Director  
BUREAU OF ENVIRONMENTAL SERVICES

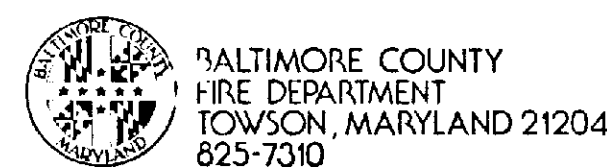
101/ew



Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following findings of fact that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of September, 1980, that the herein Petition for Variance(s) to permit rear setback of 24 feet in lieu of the required 30 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jones  
Deputy Zoning Commissioner of Baltimore County



PAUL H. REMOKE  
CHIEF

September 4, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: George C. & Mildred F. McCreary Jr.

Location: E/S Dixon Avenue 1240' N. of Joppa Road

Item No.: 15 Zoning Agenda: Meeting of 7/22/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1-76 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Paul H. Remoke Noted and Approved: George M. McCreary Jr.  
PLANNING GROUP FIRE PREVENTION BUREAU  
SPECIAL INSPECTION DIVISION

/mb

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: August 11, 1980  
FROM: Charles E. Burnham  
SUBJECT: Zoning Advisory Meeting - July 22, 1980

ITEM NO. 15 Standard Comment  
ITEM NO. 16 See Comments  
ITEM NO. 17 See Comments  
ITEM NO. 18 Standard Comment.

Charles E. Burnham  
Charles E. Burnham  
Plans Review Supervisor

CEB:rrj

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
E/S of Dixon Ave., 1240' : OF BALTIMORE COUNTY  
N of Joppa Rd., 9th District  
GEORGE C. MCCREARY, JR., : Case No. 81-55-A  
et ux, Petitioners

### ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of September, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. George C. McCreary, Jr., 9649 Dixon Avenue, Baltimore, Maryland 21234, Petitioners.

John W. Hession, III  
John W. Hession, III

### VARIANCE DESCRIPTION

#9649 Dixon Avenue

Located on the east side of Dixon Avenue approximately 1240' north of Joppa Road and known as lots #156 and #157 as shown on the Plat of Carney View which is recorded in land records of Baltimore County in Liber 7, Folio 90.

### PETITION FOR VARIANCE

9th District

ZONING: Petition for Variance for rear yard setback  
LOCATION: East side of Dixon Avenue, 1240 feet North of Joppa Road  
DATE & TIME: Thursday, September 18, 1980 at 9:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 24 feet in lieu of the required 30 feet

The Zoning Regulation to be excepted as follows:

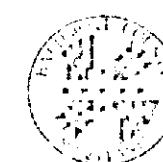
Section 1B02.3C.1 - rear yard setbacks

All that parcel of land in the Ninth District of Baltimore County

Being the property of George C. McCreary, Jr., et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 18, 1980 at 9:30 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-0350

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 4, 1980

Mr. & Mrs. George C. McCreary, Jr.  
9649 Dixon Avenue  
Baltimore, Maryland 21234

RE: Petition for Variance  
E/S of Dixon Avenue, 1240'  
N of Joppa Road  
Case No. 81-55-A

Dear Mr. & Mrs. MC Creary:

This is to advise you that \$41.75 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,  
William E. Hammond  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

August 19, 1980

Mr. & Mrs. George C. McCreary, Jr.  
9649 Dixon Avenue  
Baltimore, Maryland 21234

### NOTICE OF HEARING

RE: Petition for Variance - E/S of Dixon Ave., 1240' N of Joppa Road - Case No. 81-55-A

TIME: 9:30 A.M.

DATE: Thursday, September 18, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond  
Zoning Commissioner Date: September 2, 1980

FROM: John D. Seyffert, Director  
Office of Planning and Zoning

SUBJECT: Petition No. 81-55-A Item 15

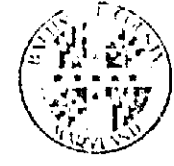
Petition for Variance for rear yard setback  
East side of Dixon Avenue, 1240 feet North of Joppa Road  
Petitioner- George C. McCreary, Jr., et ux

## Ninth District

HEARING: Thursday, September 18, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

JDS:JGH:ab



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-5353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 18, 1980

Mr. & Mrs. George C. McCreary, Jr.  
9649 Dixon Avenue  
Baltimore, Maryland 21234

RE: Petition for Variance  
E/S of Dixon Ave., 1240' N of Joppa Rd. -  
9th Election District  
George C. McCreary, Jr., et ux -  
Petitioners  
NO. 81-55-A (Item No. 15)

Dear Mr. & Mrs. McCreary:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jean M. H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hession, III, Esquire  
People's Counsel

Mr. & Mrs. George C. McCreary, Jr.  
9649 Dixon Avenue  
Baltimore, Maryland 21234

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 22nd day of July, 1980.

*William E. Hammond*  
WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner George C. McCreary, Jr., et ux

Petitioner's Attorney

Reviewed by: *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 8 day of July, 1980.

Filing Fee \$ 25 Received: *William E. Hammond* Check  
Cash  
Other

Petitioner *McCreary*

Submitted by *McCreary*

Petitioner's Attorney

Reviewed by *Nicholas B. Commodari*

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9 Date of Posting: 7/31/80  
Posted for: *Petition for Variance*  
Petitioner: *George C. McCreary, Jr., et ux*  
Location of property: *E/S Dixon Ave., 1240' N of Joppa Rd.*  
Location of Signs: *front of property (#9649 Dixon Ave.)*  
Remarks: *None*  
Posted by: *William E. Hammond* Date of return: 8/1/80  
Signature  
Number of Signs: 1

## PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WPH</i>	Revised Plans: Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/>									
Previous case:	Map #									

## CERTIFICATE OF PUBLICATION

TOWSON, MD., August 28, 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~on one time~~ of one time ~~on one time~~ before the 18th day of September, 1980, the first publication appearing on the 28th day of August, 1980.

THE JEFFERSONIAN

*L. Frank Struth*  
Manager

Cost of Advertisement, \$

## PETITION FOR VARIANCE

9th District  
Zoning Petition for Variance  
for rear yard setback  
Location: East side of Dixon Avenue, 1240 feet north of Joppa Road.

Date & Time: Thursday, September 18, 1980 at 9:30 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 24 feet in lieu of the required 30 feet.

The Zoning Regulation to be excepted as follows:

Section 23C1 - rear yard setbacks  
All that parcel of land in the Ninth District of Baltimore County

Located on the east side of Dixon Avenue, 1240 feet north of Joppa Road and known as lots 156 and 157 as shown on the Plat of Carney View which is recorded in land records of Baltimore County in Liber 7, Folio 80.

Being the property of George C. McCreary, Jr., et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: THURSDAY, SEPTEMBER 18, 1980 AT 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF  
WILLIAM E. HAMMOND  
Zoning Commissioner of Baltimore County

## The Essex Times

Essex, Md., August 28, 1980

This is to Certify, That the annexed

*Petition*

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of *one* successive weeks before the *28th* day of *August*, 19 *80*  
*James M. O'Connell* Publisher.

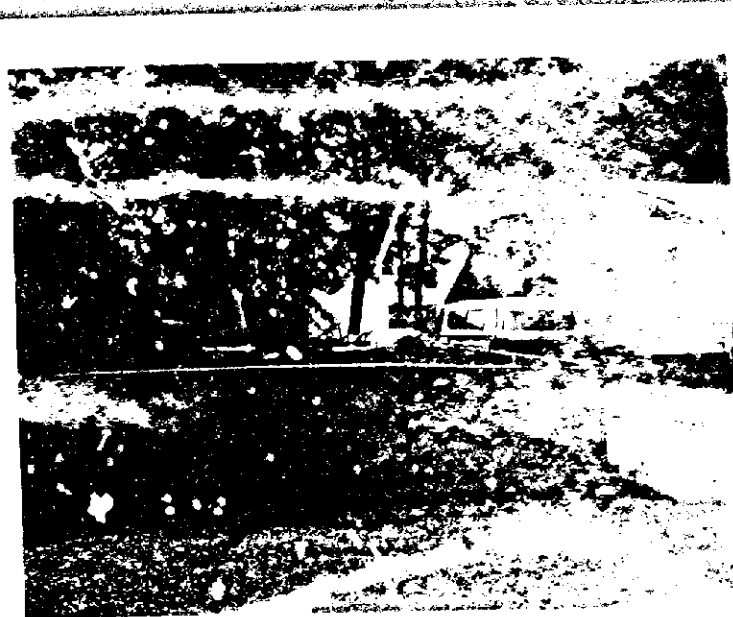
Dixon Avenue approx. 1240' north of Joppa Road and known as lots 156 and 157 as shown on the Plat of Carney View which is recorded in land records of Baltimore County in Liber 7, Folio 80.

Being the property of George C. McCreary, Jr., et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: THURSDAY, SEPTEMBER 18, 1980 AT 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF  
WILLIAM E. HAMMOND  
Zoning Commissioner of Baltimore County



No. 089633

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: August 19, 1980 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: George C. McCreary, Jr.

FOR: Filing Fee for Case No. 81-55-A

AMOUNT: \$25.00

VALIDATION OR SIGNATURE OF CARRIER

No. 091740

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 5/15/80 ACCOUNT: 01-662

AMOUNT: \$41.75

RECEIVED: George McCreary, Jr.

FOR: Adv. & Posting for Case No. 81-55-A

AMOUNT: \$41.75

VALIDATION OR SIGNATURE OF CARRIER

JOMAT AVE.  
BLACK TOP PAVED

2803 JOMAT AVE.  
EXISTING DWELLING

EXISTING DWELLING

PROPOSED  
ADDITION

EXISTING  
DWELLING

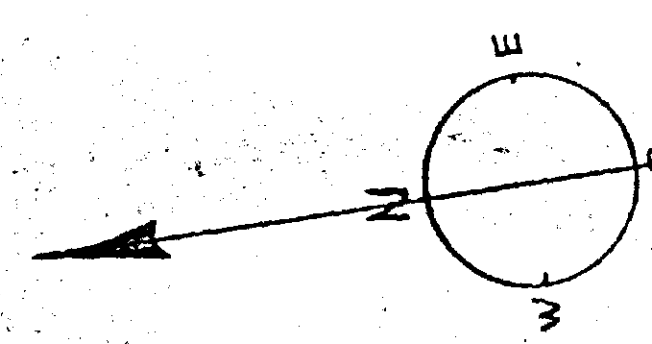
ZONED DR-5.5  
99,439.43 Sq. Ft.  
ELECT. DIST - 09

WOODED AREA

9649 DIXON AVE.

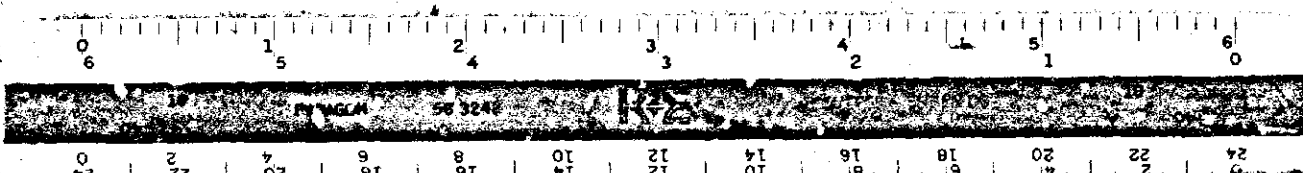
DIXON AVE.  
MACADAM PAVED

N. 10° - 32' E



APPROVED  
DATE 7/1/30  
BY [Signature]

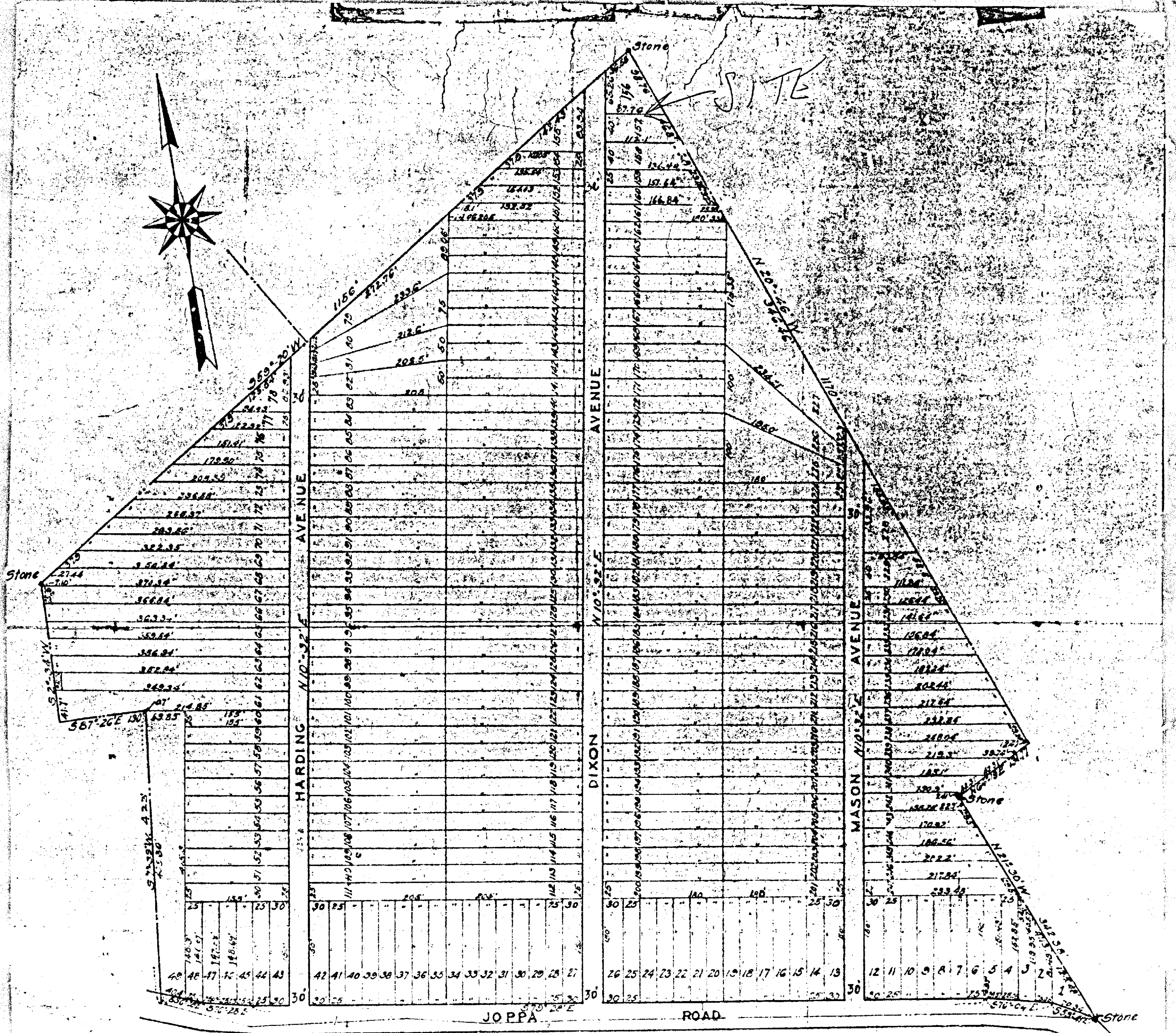
PLAT FOR ZONING VARIANCE  
ZONED DR 5.5  
VARIANCE FROM SEC. 1B02.3C.1.  
DWELLING OF G.C. & M.F. MCGREARY JR.  
9649 DIXON AVE BALTO. COUNTY  
BALTO. MD. 21234  
SCALE 1" = 10'-0" DRAWN BY GCM



Approved  
only entrance

9648 DIXON AVE.  
EXISTING DWELLING





# CARNEY VIEW

JOSEPH F. MORELAND  
OWNER & DEVELOPER

J. SPENCE HOWARD

CIVIL ENGR.  
SCALE 1"=100'

BALTO. MD.  
NOVEMBER, 1923.

Book #177 File #4761

